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REMARKS

Claims 2-26 and 31 are pending in the application. Applicants amend claims 2, 5, and 26 for clarification purposes. No new matter is added by the amendments, which are supported throughout the specification and figures. In particular, the amendments are supported at least at figures 5 and 18 and page 13, lines 2-13 of the specification. In view of the amendments and the following remarks, reconsideration and allowance of the instant application are respectfully requested.

Applicants acknowledge with appreciation the Examiner's allowance of claims 3, 7, 10, 14, 18, 21, and 31. Applicants also note with appreciation that the Examiner indicates that claim 26 would be allowable if rewritten to overcome the 35 U.S.C. § 112 rejection.

Claim 26 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicants amend the claim to clarify the terms "working system" and "passive system". Applicants also have deleted the phrase "switch unit is multiplexed" from the claim. Therefore, it is respectfully submitted that the amended claim is clear and definite.

Claims 2, 6, 9, 13, 17, 20, and 23-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,836,479 to Sakamoto et al. in view of U.S. Patent No. 5,704,047 to Schneeberger; claims 4, 8, 11, 15, 19, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakamoto et al. in view of Schneeberger, and further in view of U.S. Patent No. 5,493,566 to Ljungberg et al. Applicants respectfully traverse.

The Office Action cites and relies upon the description in Schneeberger of a "back pressure mechanism" as alleged suggestion of the claimed back pressure control feature. The cited portion of Schneeberger only apparently discusses, however, a conventional back pressure

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signal from a congested queue to stop a switching unit from sending cells to the congested queue. The cited section of Schneeberger, therefore, does not suggest the claimed back pressure control on a third buffer when a first buffer assumes a predetermined state. Therefore, for at least this reason, the rejections of claims 2, 4, 6, 8, 9, 11, 13, 15, 17, 19, 20, and 22-24 based at least in part on Schneeberger should be withdrawn.

Additionally, and in the interest of expediting prosecution, Applicants herein amend independent claim 2 to include the feature that the third buffer *"is connected to the first buffer and having a fourth buffer connected to the second buffer, the processor performing back pressure control on the third buffer by receiving a flow control signal that is sent from the second buffer when the first buffer assumes a predetermined state"*. Schneeberger apparently discloses that a switching element SE sends a "receive not ready" signal to SE or SMU when content of its queue exceeds a predetermined threshold. However, the cited references do not suggest the claimed feature of "the processor performing back pressure control on the third buffer by receiving a flow control signal that is sent from the second buffer when the first buffer assumes a predetermined state". Therefore, it is respectfully submitted that claim 2 and its dependent claims are allowable for at least this additional reason.

Claims 5, 12, 16, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakamoto et al. in view of U.S. Patent No. 5,392,280 to Zheng. Applicants respectfully traverse.

The Office Action asserts that the claimed feature of performing back pressure control on the fourth buffer when receiving a request from an apparatus is obvious in view of Zheng. Amended claim 5 recites that *"the processor having a third buffer that is connected to the first buffer and having a fourth buffer connected to the second buffer, the processor performing*

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back pressure control on the fourth buffer when receiving a request for back pressure control from an apparatus that is connected to the processor, and *the processor further performing back pressure control on the first buffer when the fourth buffer assumes a predetermined state*". It is respectfully submitted that none of the cited references disclose or suggest this feature, and therefore claim 5 is allowable for at least this reason.

Each of the dependent claims is allowable for at least the same reasons as their respective base claim is allowable.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
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